

Atty. Dkt. No. 035451-0168 (3706.Palm)

**REMARKS**

Applicants respectfully request reconsideration of the present application in view of the reasons that follow.

Claims 1-20 remain pending in the application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate status identifier for each claim.

**Drawings**

In section 1 of the Office Action, the drawings are objected to as including reference number 250 not mentioned in the description. In the specification, paragraph [0017] starting on page 5 has been amended to add reference character 250 for consistency with Figure 2. No new matter has been added. Accordingly, Applicants respectfully request that the objection to the drawings be withdrawn.

**Abstract**

In section 2 of the Office Action, the language and format of the Abstract are objected to for containing the words "disclosed" and "disclosure." While Applicants do not agree that use of the words "disclosed" and "disclosure" in the Abstract is entirely prohibited or should otherwise be required, a new Abstract is attached to this document for insertion after the claim pages of the application in order to advance prosecution. No new matter has been added. Accordingly, Applicants respectfully request that the objection to the Abstract be withdrawn.

**Claim Rejections – 35 U.S.C. § 102(e)****a. Rejection of claims 1-2, 4-5, 8, and 11 based on Mittal**

In section 3 of the Office Action, claims 1-2, 4-5, 8, and 11 are rejected under 35 U.S.C. § 102(e) as being anticipated by Mittal (U.S. Patent No. 6,842,613).

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**i. Claims 1-2, 4-5, and 8**

Applicants respectfully submit that Mittal does not teach, disclose, or suggest all of the steps of claim 1 as combined therein. Specifically, Mittal fails to teach, disclose, or suggest “establishing a wireless communications link between a first electronic device and a second electronic device, the first electronic device having saved thereon a set of network parameters for enabling communications between the first electronic device and the communications network” and “establishing a communications link between the second electronic device and the communications network by applying settings to the second electronic device, the settings based on the network parameters” as included in the combination of steps of claim 1.

The Office Action states that Mittal discloses “the first device (server 28) contains a set of initial network parameters to enable communication between device and network,” “transmitting the network parameters to the second device (mobile station 12)” and “establishing communication between the second device and the network utilizing the received network parameters setting (column 2 lines 43-56).” Applicants respectfully disagree. Mittal discloses two networks: radio access network 16 and packet data network 18. The initial operating parameters are not disclosed in Mittal as enabling the server 28 to communicate with either network radio access network 16 or packet data network 18. Nor does Mittal disclose that communications between the mobile station 12 and network radio access network 16 or packet data network 18 are enabled by applying settings to mobile station 12 that are based on the initial operating parameters, where the initial operating parameters are the same parameters used to enable the server 28 to communicate with network radio access network 16 or packet data network 18. Thus, Mittal does not teach, disclose, or suggest “establishing a wireless communications link between a first electronic device and a second electronic device, the first electronic device having saved thereon a set of network parameters for enabling communications between the *first* electronic device and the communications network” and “establishing a communications link between the second electronic device and the communications network by applying settings to the second electronic device, the settings based on the network parameters”

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as included in the combination of steps of claim 1. Accordingly, Applicants respectfully request that the rejection of claim 1 under 35 U.S.C. § 102(e) as being anticipated by Mittal be withdrawn. Additionally, claims 2, 4-5, and 8 depend from claim 1, and are thus patentable over Mittal for at least the same reasons as claim 1, and Applicants further request that the rejection of claims 2, 4-5, and 8 as being anticipated by Mittal be withdrawn as well.

ii. Claim 11

Applicants respectfully submit that Mittal does not teach, disclose, or suggest all of the elements of claim 11 as combined therein. Specifically, Mittal fails to teach, disclose, or suggest “a first electronic device having network parameters enabling communications between the first electronic device and the communication network” and “a second set of logic, providing settings on the second electronic device based on the network parameters and establishing communications between the second electronic device and the network” as included in the combination of elements of claim 11.

The Office Action states that “the same analysis above with respect to claim 1 is applicable,” i.e., that Mittal discloses “the first device (server 28) contains a set of initial network parameters to enable communication between device and network,” “transmitting the network parameters to the second device (mobile station 12)” and “establishing communication between the second device and the network utilizing the received network parameters setting (column 2 lines 43-56).” Applicants respectfully disagree. Mittal discloses two networks: radio access network 16 and packet data network 18. The initial operating parameters are not disclosed in Mittal as enabling the server 28 to communicate with either network radio access network 16 or packet data network 18. Nor does Mittal disclose that communications between the mobile station 12 and network radio access network 16 or packet data network 18 are enabled by applying settings to mobile station 12 that are based on the initial operating parameters, where the initial operating parameters are the same parameters used to enable the server 28 to communicate with network radio access network 16 or packet data network 18. Thus, Mittal does not teach, disclose, or suggest “a first electronic device having network parameters enabling

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communications between the first electronic device and the communication network" and "a second set of logic, providing settings on the second electronic device based on the network parameters and establishing communications between the second electronic device and the network" as included in the combination of elements of claim 11. Accordingly, Applicants respectfully request that the rejection of claim 11 under 35 U.S.C. § 102(e) as being anticipated by Mittal be withdrawn.

**b. Rejection of claims 1-5, 8, and 11 based on Hayes, Jr. et al.**

In section 6 of the Office Action, claims 1-5, 8, and 11 are rejected under 35 U.S.C. § 102(e) as being anticipated by Hayes, Jr. et al. (U.S. Patent No. 5,974,312).

**i. Claims 1-5, and 8**

Applicants respectfully submit that Hayes, Jr. et al. does not teach, disclose, or suggest all of the steps of claim 1 as combined therein. Specifically, Hayes, Jr. et al. fails to teach, disclose, or suggest "establishing a wireless communications link between a first electronic device and a second electronic device, the first electronic device having saved thereon a set of network parameters for enabling communications between the first electronic device and the communications network" and "establishing a communications link between the second electronic device and the communications network by applying settings to the second electronic device, the settings based on the network parameters" as included in the combination of steps of claim 1.

The Office Action states that Hayes, Jr. et al. discloses "the first device (wireless programmer) contains a set of initial network parameters to enable communication between device and network," "transmitting the network parameters to the second device (electronic device 100)" and "establishing communication between the second device and the network utilizing the received network parameters setting (column 3 lines 12-19)." Applicants respectfully disagree. Hayes, Jr. et al. discloses only generally that "it may also be used to

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change the content of data fields in the device corresponding to user settings (such as personal identification codes and emergency numbers) or manufacturing date codes, or to activate the device." Col. 3, lines 12-19. This update data is not disclosed in Hayes, Jr. et al. as enabling the wireless programmer to communicate with any sort of network. Nor does Hayes, Jr. et al. disclose that communications between the electronic device 100 and any sort of network are enabled by applying settings to electronic device 100 that are based on the update data received from the wireless programmer, where the update data is the same data used to enable the wireless programmer to communicate with that same network. Thus, Hayes, Jr. et al. does not teach, disclose, or suggest "establishing a wireless communications link between a first electronic device and a second electronic device, the first electronic device having saved thereon a set of network parameters for enabling communications between the first electronic device and the communications network" and "establishing a communications link between the second electronic device and the communications network by applying settings to the second electronic device, the settings based on the network parameters" as included in the combination of steps of claim 1. Accordingly, Applicants respectfully request that the rejection of claim 1 under 35 U.S.C. § 102(e) as being anticipated by Hayes, Jr. et al. be withdrawn. Additionally, claims 2-5, and 8 depend from claim 1, and are thus patentable over Hayes, Jr. et al. for at least the same reasons as claim 1, and Applicants further request that the rejection of claims 2-5, and 8 as being anticipated by Hayes, Jr. et al. be withdrawn as well.

ii. Claim 11

Applicants respectfully submit that Hayes, Jr. et al. does not teach, disclose, or suggest all of the elements of claim 11 as combined therein. Specifically, Hayes, Jr. et al. fails to teach, disclose, or suggest "a first electronic device having network parameters enabling communications between the first electronic device and the communication network" and "a second set of logic, providing settings on the second electronic device based on the network parameters and establishing communications between the second electronic device and the network" as included in the combination of elements of claim 11.

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The Office Action states that “the same analysis above with respect to claim 1 is applicable,” i.e., that Hayes, Jr. et al. discloses “the first device (wireless programmer) contains a set of initial network parameters to enable communication between device and network,” “transmitting the network parameters to the second device (electronic device 100)” and “establishing communication between the second device and the network utilizing the received network parameters setting (column 3 lines 12-19).” Applicants respectfully disagree. Hayes, Jr. et al. discloses only generally that “it may also be used to change the content of data fields in the device corresponding to user settings (such as personal identification codes and emergency numbers) or manufacturing date codes, or to activate the device.” Col. 3, lines 12-19. This update data is not disclosed in Hayes, Jr. et al. as enabling the wireless programmer to communicate with any sort of network. Nor does Hayes, Jr. et al. disclose that communications between the electronic device 100 and any sort of network are enabled by applying settings to electronic device 100 that are based on the update data received from the wireless programmer, where the update data is the same data used to enable the wireless programmer to communicate with that same network. Thus, Hayes, Jr. et al. does not teach, disclose, or suggest “a first electronic device having network parameters enabling communications between the first electronic device and the communication network” and “a second set of logic, providing settings on the second electronic device based on the network parameters and establishing communications between the second electronic device and the network” as included in the combination of elements of claim 11. Accordingly, Applicants respectfully request that the rejection of claim 11 under 35 U.S.C. § 102(e) as being anticipated by Hayes, Jr. et al. be withdrawn.

**Claim Rejections – 35 U.S.C. § 103(a)**

**a. Rejection of claims 3, 6-7, 9-10, and 12-20 based on Mittal**

In section 9 of the Office Action, claims 3, 6-7, 9-10, and 12-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mittal.

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**i. Claims 3, 6-7, and 9-10**

Claims 3, 6-7, and 9-10 depend from claim 1. As explained above, Mittal does not teach, disclose, or suggest the subject matter of claim 1. Because the Office Action cites no further teachings or references in the rejections of claims 3, 6-7, and 9-10 that disclose any of the steps of claim 1 mentioned above that are lacking in Mittal, Applicants submit that claims 3, 6-7, and 9-10 are patentable over Mittal for at least the same reasons as claim 1. Accordingly, Applicants respectfully request that the rejection of claims 3, 6-7, and 9-10 under 35 U.S.C. § 103(a) be withdrawn.

**ii. Claims 12-15**

Claims 12-15 depend from claim 11. As explained above, Mittal does not teach, disclose, or suggest the subject matter of claim 11. Because the Office Action cites no further teachings or references in the rejections of claims 12-15 that disclose any of the elements of claim 11 mentioned above that are lacking in Mittal, Applicants submit that claims 12-15 are patentable over Mittal for at least the same reasons as claim 11. Accordingly, Applicants respectfully request that the rejection of claims 12-15 under 35 U.S.C. § 103(a) be withdrawn.

**iii. Claims 16-20**

Applicants respectfully submit that Mittal does not teach, disclose, or suggest all of the elements of claim 16 as combined therein. Specifically, Mittal fails to teach, disclose, or suggest "at least one program stored in the memory and running on the processor, the program including logic to receive settings from an intermediary device via the transceiver, the settings being used for the intermediary device to connect to a communications network, and the at least one program including logic to connect to the communications network by using the settings" as included in the combination of elements of claim 16.

The Office Action states that "Mittal shows a method of configuring a device for communication with a communication network." Mittal discloses two networks: radio access

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network 16 and packet data network 18. The initial operating parameters, however, are not disclosed in Mittal as being used for the server 28 to connect to network radio access network 16 or packet data network 18. Nor does Mittal disclose that mobile station 12 connects to network radio access network 16 or packet data network 18 using the initial operating parameters, where the initial operating parameters are the same parameters used by the server 28 to connect to network radio access network 16 or packet data network 18. Thus, Mittal does not teach, disclose, or suggest "at least one program stored in the memory and running on the processor, the program including logic to receive settings from an intermediary device via the transceiver, the settings being used for the intermediary device to connect to a communications network, and the at least one program including logic to connect to the communications network by using the settings" as included in the combination of elements of claim 16. Accordingly, Applicants respectfully request that the rejection of claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Mittal be withdrawn. Additionally, claims 17-20 depend from claim 16, and are thus patentable over Mittal for at least the same reasons as claim 16, and Applicants further request that the rejection of claims 17-20 as being unpatentable over Mittal be withdrawn as well.

**b. Rejection of claims 6-7, 9-10, and 12-20 based on Hayes, Jr. et al.**

In section 12 of the Office Action, claims 6-7, 9-10, and 12-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayes, Jr. et al.

**i. Claims 6-7 and 9-10**

Claims 6-7 and 9-10 depend from claim 1. As explained above, Hayes, Jr. et al. does not teach, disclose, or suggest the subject matter of claim 1. Because the Office Action cites no further teachings or references in the rejections of claims 6-7 and 9-10 that disclose any of the steps of claim 1 mentioned above that are lacking in Hayes, Jr. et al., Applicants submit that claims 6-7 and 9-10 are patentable over Hayes, Jr. et al. for at least the same reasons as claim 1. Accordingly, Applicants respectfully request that the rejection of claims 6-7 and 9-10 under 35 U.S.C. § 103(a) be withdrawn.



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**ii. Claims 12-15**

Claims 12-15 depend from claim 11. As explained above, Hayes, Jr. et al. does not teach, disclose, or suggest the subject matter of claim 11. Because the Office Action cites no further teachings or references in the rejections of claims 12-15 that disclose any of the elements of claim 11 mentioned above that are lacking in Hayes, Jr. et al., Applicants submit that claims 12-15 are patentable over Hayes, Jr. et al. for at least the same reasons as claim 11. Accordingly, Applicants respectfully request that the rejection of claims 12-15 under 35 U.S.C. § 103(a) be withdrawn.

**iii. Claims 16-20**

Applicants respectfully submit that Hayes, Jr. et al. does not teach, disclose, or suggest all of the elements of claim 16 as combined therein. Specifically, Hayes, Jr. et al. fails to teach, disclose, or suggest "at least one program stored in the memory and running on the processor, the program including logic to receive settings from an intermediary device via the transceiver, the settings being used for the intermediary device to connect to a communications network, and the at least one program including logic to connect to the communications network by using the settings" as included in the combination of elements of claim 16.

The Office Action states that "Hayes, Jr. et al. shows a method of configuring a device for communication with a communication network." However, Hayes, Jr. et al. discloses only generally that "it may also be used to change the content of data fields in the device corresponding to user settings (such as personal identification codes and emergency numbers) or manufacturing date codes, or to activate the device." Col. 3, lines 12-19. This update data is not disclosed in Hayes, Jr. et al. as being used by the wireless programmer to communicate with any sort of network. Nor does Hayes, Jr. et al. disclose that electronic device 100 connects to any sort of network using the update data received from the wireless programmer, where the update data is the same data used to enable the wireless programmer to communicate with that same network. Thus, Hayes, Jr. et al. does not teach, disclose, or suggest "at least one program stored

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in the memory and running on the processor, the program including logic to receive settings from an intermediary device via the transceiver, the settings being used for the intermediary device to connect to a communications network, and the at least one program including logic to connect to the communications network by using the settings" as included in the combination of elements of claim 16. Accordingly, Applicants respectfully request that the rejection of claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Hayes, Jr. et al. be withdrawn. Additionally, claims 17-20 depend from claim 16, and are thus patentable over Hayes, Jr. et al. for at least the same reasons as claim 16, and Applicants further request that the rejection of claims 17-20 as being unpatentable over Hayes, Jr. et al. be withdrawn as well.

### Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

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Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 10/21/2005

By Chad E. Bement

FOLEY & LARDNER LLP  
Customer Number: 26371  
Telephone: (414) 297-5554  
Facsimile: (414) 297-4900

Chad E. Bement  
Attorney for Applicant  
Registration No. 54,991